

United States District Court

Middle District of North Carolina
Post Office Box 2708
Greensboro, North Carolina 27402

John S. Brubaker, Clerk

TELEPHONE:
(336) 332-6000

January 24, 2013

JERRY WARD

25352-057
FEDERAL PRISON CAMP
P.O. BOX 6000
ASHLAND, KY 41105

Re: 1:12CV550/1:09CR406-1 USA v. JERRY WARD

Dear Mr. Ward:

The respondent USA filed a supplemental response, Pleading No. 30, on January 22, 2013, which may or may not be supported by an affidavit, to your motion to vacate, set aside or correct sentence.

You have the right to file a 10-page supplemental reply brief in opposition to the Government's supplemental response. If the respondent has filed an affidavit, your supplemental reply brief may also be accompanied by counter affidavits in opposition to the affidavit submitted by the Government. Affidavits must be based on personal knowledge, contain facts admissible in evidence, and made by a person competent to testify. A false statement under oath or under penalty of perjury may be a crime punishable as provided by law. Ordinarily, uncontested motions are granted. Therefore, your failure to file a supplemental reply brief or, if appropriate, to file counter-affidavits in rebuttal within the time allowed may cause the court to conclude that the Government's contentions are undisputed. As a result, the court may dismiss your suit or render judgment against you. Therefore, unless you file a supplemental reply brief in opposition to the Government's supplemental response, it is likely your case will be dismissed. Pursuant to the Order entered on October 26, 2012, your supplemental reply brief or counter-affidavits must be filed within thirty (30) days of the filing of the supplemental response.

The original of your supplemental reply brief should be mailed to this office and a copy served upon counsel for the Government. Any pleadings presented to the court for filing must be accompanied by a certificate stating that you have served copies on counsel for the Government.

Sincerely,

JOHN S. BRUBAKER, CLERK

By: /s/ Carol Butler

– Deputy Clerk